

DEPARTMENT OF VETERANS AFFAIRS
Justification and Approval
For
Other Than Full and Open Competition

1. Contracting Activity: Department of Veterans Affairs, VISN 18, SAVAHCS Medical Center. Transaction number: 678-15-1-053-0151

2. Nature and/or Description of the Action Being Processed: The P&LMS POC department requires an annual License from Alere Informatics to continue the connectivity of the I-Stat instrument to manage diagnostic testing and QC results. The SAVAHCS requires this service to maintain RALS system Software package and site licensing requirements for a fixed price of \$36,396.00 to include base year and four option years by September 2019.

3. Description of Supplies/Services Required to Meet the Agency's Needs: The Alere I-Stat License is required by the SAVAHCS. The Remote Automated Laboratory Systems (RALS) Software technology system License Agreement is part of the point of care testing connectivity software that is used to post patient test results to the electronic patient record (VISTA/CPRS). This software allows the end user to monitor tests done at the point of care and to meet numerous accreditation requirements for laboratory tests performed at SAVAHCS. The software license agreement ensures a continuity of services for the medical center and it's off site locations.

4. Statutory Authority Permitting Other than Full and Open Competition:

- ☒ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- ☐ (2) Unusual and Compelling Urgency per FAR 6.302-2;
- ☐ (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- ☐ (4) International Agreement per FAR 6.302-4
- ☐ (5) Authorized or Required by Statute FAR 6.302-5;
- ☐ (6) National Security per FAR 6.302-6;
- ☐ (7) Public Interest per FAR 6.302-7;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

Alere Informatics has executive rights to produce, distribute and maintain the software label and bundle called RALS. No dealers qualify to work on and maintain the product; furthermore, the product is interfaced with VISTA. Alere Informatics owns the Patent Rights to RALS and is the only vendor qualified to service and sell RALS system and no other supplies or services will satisfy Agency Requirements per FAR 6.302.1

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:

There are no qualified sources other than Alere Informatics which was determined during the initial purchase of instrumentation; therefore competition was not sought for this acquisition from other sources.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The price offered by Alere Informatics is the same rate for all of its Government clients and is reasonable. The price given is constant per year at \$7,279.20 the total with four option years is \$36,396.00. The cost for RALS licensing is fair and reasonable based on the information available.

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:

No sources are available other than Alere Informatics to provide the connectivity of the I-Stat to the Medical Record.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition:

The maintenance renewal of the I-Stat License is the singular property of Alere which has patent rights and sole control over software and maintenance for RALS systems.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: N/A

11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:

Full and Open competition will be sought/considered during the annual renewal process if qualified sources are available, starting September 2015.

12. Requirements Certification: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

Susan T Page
SIGNATURE

1/6/15
DATE

Susan T Page
NAME

Laboratory Manager
TITLE

Diagnostic Service Line
SERVICE LINE/SECTION

SAVAHCS
FACILITY

13. Approvals in accordance with FAR 6.304

a. **Contracting Officer's Certification: (required)** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



CONTRACTING OFFICER'S SIGNATURE

1/7/15

DATE

CONTRACTING OFFICER
Justin Hicks, Contracting Officer

SAO-West NCO18
FACILITY

b. **SAO-West NCO18 Branch Chief:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Approve/ Non-Approve

SIGNATURE

DATE

Doug Crowley, SAO-West NCO18 Branch Chief Supply #1